IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9688 OF 2004

Atmaram Baburao Narke & anr. Petitioners
vs.
State of Maharashtra Respondent

Mr.A.V.Anturkar for Ms.Vinita Bakre-Shastry for the petitioners.

Mr.S.R.Nargolkar,A.G.P. for the State.

CORAM : R. M. LODHA &
R. S. MOHITE,JJ.

DATED : 28th March 2005

P.C.

Mr.A.V.Anturkar, the learned counsel for the petitioners, prays for withdrawal of this writ petition with liberty to the petitioners to challenge the judgment and decree dated 20th August 2004 passed by the Court of Civil Judge, Senior Division, Pune in Special Civil Suit No.970/2002-Atmaram Baburao Narke & ors v.Collector of Pune.

2. As prayed, writ petition is allowed to be withdrawn. It is always open to the petitioners to challenge the judgment and decree dated 20th August 2004 in the appeal, if advised. If the said appeal has become time barred, it is for the appellants to make out a case for condonation of delay setting out sufficient cause.

(R.M. LODHA,J.)

(R.S. MOHITE,J.)